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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

CASE NO. CR22-0197JLR

11 Plaintiff,

ORDER

12 v.

13 JESUS RUIZ-HERNANDEZ,

14 Defendant.

15 **I. INTRODUCTION**

16 Before the court is Defendant Jesus Ruiz-Hernandez's motion for a bill of
17 particulars. (Mot. (Dkt. # 70).) Plaintiff the United States of America (the
18 "Government") opposes the motion. (Resp. (Dkt. # 74).) The court has considered the
19 parties' submissions, the relevant portions of the record, and the applicable law. Being
20 fully advised,¹ the court DENIES Mr. Ruiz-Hernandez's motion.

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¹ Neither party requests oral argument (*see* Mot. at 1; Resp. at 1), and the court concludes
22 that oral argument would not be helpful in its disposition of the motion, *see* Local Rules, W.D.
Wash. LCrR 12(12).

II. ANALYSIS

Mr. Ruiz-Hernandez will face trial on January 2, 2024, for multiple crimes related to forced labor, human trafficking, money laundering, and unlawful possession of ammunition. (*See generally* 2d Sup. Indict. (Dkt. # 54); *see also* 8/24/23 Order (Dkt. # 84) (continuing trial).) Mr. Ruiz-Hernandez asks the court to order the Government to produce a bill of particulars pursuant to Federal Rule of Criminal Procedure 7(f). (Mot. at 2); Fed. R. Crim. P. 7(f). He argues that the Second Superseding Indictment describes the charges using statutory language and that the allegations are “vague, ambiguous, and uninformative.” (*See* Mot. at 2.) The Government responds that Mr. Ruiz-Hernandez is not entitled to a bill of particulars because the Second Superseding Indictment thoroughly describes his allegedly unlawful conduct and the Government has provided full discovery. (Resp. at 5-6; 9-12.)

A bill of particulars is “designed to apprise the defendant of the specific charges being presented to minimize danger of surprise at trial, to aid in preparation and to protect against double jeopardy.” *U.S. v. Long*, 706 F.2d 1044, 1054 (9th Cir. 1983). A criminal defendant is entitled to a bill of particulars when he or she has not “been advised adequately of the charges through the indictment and all other disclosures made by the government.” *Id.* However, “[f]ull discovery will obviate the need for a bill of particulars.” *Id.* (citing *U.S. v. Giese*, 597 F.2d 1170, 1180, *cert. denied*, 444 U.S. 979 (1979)). The denial of a bill of particulars is within the discretion of the district court. See *U.S. v. Ayers*, 924 F.3d 1468, 1483 (9th Cir. 1991); *Will v. U.S.*, 389 U.S. 90, 98-99 (1967).

1 Here, Mr. Ruiz-Hernandez has not established that the indictment, other
2 disclosures, and discovery, combined, are inadequate to advise him of the charges against
3 him. (See Mot.) Instead, Mr. Ruiz-Hernandez argues, without citing binding authority,²
4 that he is entitled to a thorough preview of the Government’s case-in-chief that would
5 identify which specific evidence and information the Government will proffer in support
6 of each crime charged. (*Id.* at 6 (stating he is “not aware as to what specific information,
7 within the over 16,000 documents, served grounds for the alleged charges.”); *see also id.*
8 at 8-9 (“Hoover Decl.”) ¶¶ 3-5 (asserting that knowledge of which evidence the
9 Government intends to use to prove each charge would facilitate attorney-client
10 communications).) Because Mr. Ruiz-Hernandez fails to establish that the indictment,
11 discovery, and other disclosures are inadequate to apprise him of the charges levied
12 against him, the court DENIES his motion for a bill of particulars.

III. CONCLUSION

For the foregoing reasons, the court DENIES Mr. Ruiz-Hernandez's motion for a bill of particulars (Dkt. # 70).

Dated this 5th day of September, 2023.

John P. Blunt

JAMES L. ROBART
United States District Judge

² Mr. Ruiz-Hernandez relies extensively on Washington law in his motion. (*See, e.g.*, Mot. at 5 (citing the Washington State Constitution) & nn.4-5, 9, 11-13 (citing Washington cases).) Washington authorities, however, do not bind this court in Mr. Ruiz-Hernandez’s federal criminal trial.